

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

ROBERT H. WILSON,
SUE ELLEN OBERG, and
PAULETTE BELL

PLAINTIFFS

VS.

CIVIL ACTION NO. 5:15-cv-65(DCB)(MTP)

JAMES RICHARDSON

DEFENDANT

ORDER

This cause is before the Court sua sponte to enforce the Court's Order of May 27, 2016, which granted the plaintiffs' motion to enforce settlement agreement, and the Court, being desirous that this matter be finally closed on its docket, finds as follows:

On February 24, 2016, the parties reached a settlement at a conference held by Magistrate Judge Michael T. Parker, and the terms of settlement were placed on the record.

On February 25, 2016, the Court ordered that this case be dismissed and that the parties comply with the terms of their settlement agreement. Under the terms of settlement, the defendant was to pay the settlement proceeds to the plaintiffs within two weeks of the February 25, 2016 Order of Dismissal. The Court specifically retained jurisdiction to enforce the settlement agreement, and informed the parties that they may move to reopen the case for enforcement of the settlement agreement if any party fails to comply with the terms of settlement. All parties are represented by counsel.

On March 23, 2016, counsel for the plaintiffs filed a motion to enforce settlement agreement, which was granted. The plaintiffs' motion sought immediate payment of the settlement proceeds, plus all attorneys fees and costs for prosecution of the plaintiffs' motion, to be paid by the defendant James Richardson.

On May 27, 2016, the Court entered an Order granting the motion to enforce settlement, ordered the defendant to pay the settlement proceeds (\$25,000), and ordered the defendant to pay the plaintiffs' counsels' fees and other costs in enforcing the terms of the settlement agreement. Finally, the Court ordered plaintiffs' counsel to furnish the Court with a proposed Judgment in the amount of \$25,000 as well as counsel's bill of costs including reasonable attorneys' fees and expenses, and to incorporate these into the proposed Judgment, subject to review by the Court.

The proposed Judgment has not been delivered to the Court. On October 20, 2016, the Court received a letter from Paulette Bell, one of the plaintiffs, advising the Court that the plaintiffs have not received any compensation, and requesting the terms of the settlement agreement. The terms of the settlement agreement are set forth in this Order. The Court finds that the plaintiffs' attorneys have failed to comply with this Court's Order of May 27, 2016. Accordingly,

IT IS HEREBY ORDERED that counsel for the plaintiffs comply

with the Court's previous Order by furnishing the Court with a proposed Judgment in the amount of \$25,000 as well as counsel's bill of costs including reasonable attorneys' fees and expenses, and to incorporate these into the proposed Judgment, subject to review by the Court.

SO ORDERED, this the 14th day of November, 2016.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE